

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING  
FOAMS PRODUCTS LIABILITY  
LITIGATION**

MDL No. 2:18-mn-2873-RMG

**CASE MANAGEMENT  
ORDER NO. 22.B**

### **This Order Relates to All Actions**

The Court hereby issues the following Case Management Order (“CMO”) to govern the deposition of potential trial witnesses not previously deposed during fact discovery in the Tier Two Personal Injury Bellwether Trial Pool cases. Section II.B. of CMO 22 shall apply to the Tier Two Personal Injury Bellwether Trial Pool cases, which provides:

If either party discloses a fact witness on its trial witness list who has not previously been deposed in this MDL, any party shall be permitted to depose that witness. Any party noticing a deposition pursuant to this provision must notify all parties of its intent to depose the previously non-deposed trial witness within fourteen days of receipt of the opposing party's trial witness list. Further, for depositions conducted pursuant to this provision, the parties will use good faith efforts to complete the depositions within an agreed-upon time period within the framework of the existing deadlines and trial schedule that will be forthcoming. It is also presumptively understood that depositions under this provision will be conducted within 30 days of receipt of the request for the witness's deposition.

**IT IS SO ORDERED.**

Dated: September 9, 2024

## Charleston, South Carolina

s/Richard M. Gergel

Hon. Richard M. Gergel  
United States District Judge